

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FOREST LABORATORIES, INC.,

Plaintiff,

- against -

LEIF NISSEN,

Defendant.
-----X

ECF CASE

07 Civ. 7399 (AKH) (MHD)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Amended Complaint, the Declaration of Leif Nissen sworn to September 21, 2007, the Declaration of James W. Dabney sworn to September 21, 2007, the Memorandum in Support of Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue, and upon all papers filed and hearings held herein, the undersigned will move this Court, the Honorable Michael H. Dolinger, United States Magistrate Judge, at Room 17D, United States Courthouse, 500 Pearl Street, New York, 10007, on the 15th day of October, 2007, at 10:00 a.m., or as soon thereafter as counsel can be heard, for an Order dismissing this action for lack of personal jurisdiction and for in a proper venue pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(3).

Dated: New York, New York
September 21, 2007

FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON LLP

By: 

James W. Dabney
Sarah Krissoff

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Attorneys for Defendant
Leif Nissen

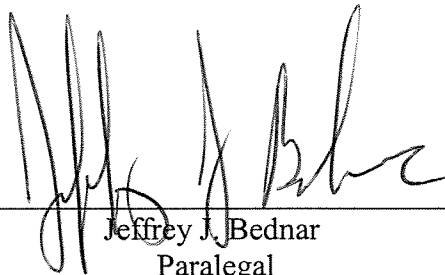
CERTIFICATE OF SERVICE

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that on the 21st day of September, 2007 I caused to be served upon the following, by the methods described below, true copies of Defendant's Motion to Dismiss, Memorandum in Support of Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue, Declaration of Leif Nissen and Declaration of James W. Dabney.

Hand Delivery

Christopher Serbagi, Esq.
Law Offices of Christopher Serbagi
488 Madison Avenue, Suite 1120
New York, New York 10022
Attorneys for Plaintiff

Dated: New York, New York
September 21, 2007



Jeffrey J. Bednar
Paralegal